

Hawkins patent.

As regards the claims of Issue A, Group I (claims 1-8, 21, 29, 30, 33 and 34), these claims generating recite a processing computer that receives a notice of order execution information ("NOE"), receives a communication from an institution containing institution allocation information ("II"), and matches the NOE and the II. Not only does the computer match these communication, but also generates a trade confirmation (based on information in both communications, and from a standing instructions database). As regards the matching features of these claims, the Examiner apparently relies on two portions of the reference entitled "The Depository Trust Company," namely page 4, lines 14-16 and page 19, paragraphs 1-4. As regards to page 4, lines 14-16, this portion describes matching **trade data** with Institution Instructions. This trade data is not NOE information. In particular, the trade data referred to therein is trade settlement instructions which are input after trade execution and during the trade settlement process. See, The Depository Trust Company filing, page 20, lines 5-6; see also page 19, last paragraph. An NOE, on the other hand, communicates the details of the execution; i.e., it is used by brokers to report trades that cannot be yet confirmed.

As regards page 19, paragraphs 1-4 of The Depository Trust Company filing, this section describes that after acceptance of an NOE, Institution Instructions may then be prepared. See, e.g., page 19, third paragraph. This does not describe matching the NOE with an II.

Respectfully, the Hawkins patent also does not describe the matching feature of the claims.

The claims of Issue A, Groups II (claims 9, 12, 22028, 35 and 36) and IV (claims 31 and 32) are also directed to matching the NOE and an II. As discussed above, neither The Depository Trust Company filing nor the Hawkins patent describes this feature.

The claim of Issue A, Group III (claim 13) recite specific fields of the NOE. As discussed above, The Depository Trust Company filing and the Hawkins patent do not describe matching an NOE and an II; accordingly, the features of the claim of Issue I, Group III are also not described.

As to Issue B, the Examiner has attempted to combine The Depository Trust Company filing with the Lupien patent. As discussed in Appellants previously filed papers, The Depository Trust Company filing relates to **trade settlement**, while the Lupien

patent relates to matching *buy and sell order*. There is no suggestion in the prior art to combine these reference in the manner suggested by the Examiner. In any event, neither the Depository Trust Company filing nor the Lupien patent describes matching an NOE and an II, as recited in the claims (claims 14-17 and 19-20).

As to Issue C, the Examiner attempts to combine The Depository Trust Company filing with the Lupien patent, and also the Hawkins patent. As discussed above, there is no suggestion in the prior art to combine at least these three references in the manner suggested by the Examiner. Moreover, none of these references describes automatically matching an NOE and an II as recited in claim 18.

For at least the reasons indicated above, Appellant respectfully submits that the art of record does not teach or suggest Appellant's invention as recited in the claims of the above-identified application. Accordingly, it is respectfully submitted that the inventions recited in the claims of the present application is new, non-obvious and useful. Reversal of the Examiner's rejections of the pending claims is therefore respectfully requested.

Respectfully submitted,

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